United Nations Convention on the Law of the Sea SPLOS/183

Meeting of States Parties

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Decision regarding the workload of the Commission on the Limits of the Continental Shelf and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the United Nations Convention on the Law of the Sea, as well as the decision contained in SPLOS/72, paragraph (a)

The Meeting of States Parties,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the United Nations Convention on the Law of the Sea,

Recalling also that the rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or any express proclamation,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf for examination in accordance with article 76 of the Convention,

Recalling the importance of the work of the Commission for coastal States and the international community as a whole,

Mindful of the increasing workload of the Commission owing to an increasing number of submissions and the need to ensure that the Commission can perform its functions under the Convention effectively and maintain its high level of quality and expertise,

Recalling the decision of the eleventh Meeting of States Parties regarding the date of commencement of the 10-year period for making submissions to the Commission set out in article 4 of annex II to the United Nations Convention on the Law of the Sea,[1]

[1] SPLOS/72.

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Recalling also the decision of the seventeenth Meeting of States Parties to continue to address as a matter of priority issues related to the workload of the Commission, and to take up at the eighteenth Meeting the general issue of the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a),

Recognizing that some coastal States, in particular developing countries, including small island developing States, continue to face particular challenges in submitting information to the Commission in accordance with article 76 of the Convention and article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a), due to a lack of financial and technical resources and relevant capacity and expertise, or other similar constraints,

1. *Decides* that:

(a) It is understood that the time period referred to in article 4 of annex II to the Convention and the decision contained in SPLOS/72, paragraph (a), may be satisfied by submitting to the Secretary-General preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of making a submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure[2] and the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf;[3]

(b) Pending the receipt of the submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, preliminary information submitted in accordance with subparagraph (a) above shall not be considered by the Commission;

(c) Preliminary information submitted by a coastal State in accordance with subparagraph (a) is without prejudice to the submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, and the consideration of the submission by the Commission;

(d) The Secretary-General shall inform the Commission and notify member States of the receipt of preliminary information in accordance with subparagraph (a), and make such information publicly available, including on the website of the Commission;

2. *Encourages* coastal States, where appropriate, to take advantage of available data and opportunities for scientific and technical capacity-building, advice and assistance, including from relevant national, regional and other intergovernmental bodies and organizations, as well as the Commission;

3. *Requests* the Commission to compile a list of publicly available scientific and technical data relevant to the preparation of submissions to the Commission, and to publicize the list, including by posting the list on the website of the Commission;

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[2] CLCS/40/Rev.1.

[3] CLCS/11 and Corr.1 and Corr.2; CLCS/11/Add.1 and Corr.1.

4. *Welcomes* the availability on the website of the Commission of information relating to scientific and technical capacity-building, advice and assistance available to coastal States in the preparation of submissions to the Commission;

5. *Calls upon* States parties to contribute voluntarily to the Trust Funds, with a view to facilitating the participation of the members of the Commission from developing States in the meetings of the Commission, as well as to facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea;

6. *Decides* to take up the issues related to the workload of the Commission at the next Meeting of States Parties under the item "Commission on the Limits of the Continental Shelf: Workload of the Commission".